

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIEL CHARLES FEGLEY, JR.,
Petitioner,

CIVIL ACTION

v.

**COMMONWEALTH OF
PENNSYLVANIA,**
Respondent.

NO. 23-1919

ORDER

AND NOW, this 22nd day of August, 2023, upon consideration of § 2241 Habeas Corpus Petition (ECF 2), and the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski (ECF 6), there being no objection to the Report and Recommendation despite the passage of the time for doing so, **IT IS ORDERED** as follows:

1. Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski (ECF 6) is **APPROVED** and **ADOPTED**;

2. The § 2241 Habeas Corpus Petition (ECF 2) is **DISMISSED WITH PREJUDICE**; and,

3. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural ruling with respect to petitioner's claims. See 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Hon. Kelley B. Hodge**

HODGE, KELLEY B., J.